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Utilities Complaint Form

Investigator: Nallely Pena		Phone: <<< REDACTED >>>	Opinion Date: 6/4/2021
Opinion Number: 2021 - 170300			
Opinion Codes: Rate Case Items - In Favor		Closed Date: 6/4/2021 3:19 PM	
First Name: Eric	Last Name: Frankowski	Account Name: Eric Frankowski	
Address: <<< REDACTED >>>			
City: Longmont	State: CO	Zip Code: 80503	
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Company: Arizona Public Service Company		Division: Electric	

Nature Of Opinion

Docket Number: E-01345A-19-0088**Docket Position:** For

WCEC is filing these joint comments on behalf of a coalition of Navajo and Hopi organizations and individuals: Tó Nizhóní Ání, Diné CARE, Black Mesa Trust, Percy Deal and Ben Nuvamsa.

***** SEE BELOW IN MANAGE DOCUMENTS - TribalGroupComments (Supporting Documents)

BEFORE THE ARIZONA CORPORATION COMMISSION

Lea Márquez Peterson, Chairwoman

Sandra Kennedy, Commissioner

Jim O'Connor, Commissioner

Justin Olson, Commissioner

Anna Tovar, Commissioner

RE: In matter of the application of Arizona Public Service Company for a Ruling Relating to its 2020 Demand Side Management Implementation Plan

Docket No. E-01345A-19-0088

Comments of Diné CARE, Tó Nizhóni Áni, Black Mesa Trust and Navajo and Hopi Tribal Members on APS's Tribal Energy Efficiency Program

Diné CARE, Tó Nizhóni Áni and Black Mesa Trust and the individuals signed below respectfully submit the following comments in response to Staff's Recommended Opinion and Order on the Tribal Energy Efficiency Program proposed by Arizona Public Service Company (APS).

Collectively, over the past several years, our organizations have filed numerous comments and intervened in several Commission proceedings with the overarching objective of securing Just and Equitable

Transition assistance for Navajo and Hopi communities that have been hit hard – or soon will be – by the closure of coal plants and coal mines. The early and unexpected closures of Navajo Generating Station and Kayenta Mine in 2019 were the first of many utility decisions that have already led to painful economic consequences for both tribes. These decisions will not be the last, with closure dates now firm for the Four Corners Power Plant and Navajo Mine in 2031 and the Cholla Power Plant in 2025. Notably, APS is the operator and an owner of both of these plants.

In October 2020, in recognition of APS's responsibility to provide financial assistance and other resources to help communities weather the transition to post-coal economies, the Commission ordered APS to file a Tribal Energy Efficiency Program proposal, funded with \$457,000 in seed money, to implement energy efficiency projects with Navajo and Hopi communities impacted by the closure of coal-fired power plants owned or operated by APS. We applaud the Commission for this decision (No. 77763), including the Decision's formal recognition, long overdue, of **"corporate obligations to support a just and equitable transition of communities impacted by early power plant closure."**

Energy efficiency projects in tribal communities are a small but important part of Just and Equitable Transition. Boosting investments in energy efficiency and other clean energy resources will benefit people of the Navajo Nation and the Hopi Tribe by delivering environmental and economic benefits – helping clean up our air, land, water and cultural resources; decreasing wasteful depletion of vital water supplies; and mitigating high energy costs that have a disproportionate impact on low-income tribal members.

Weatherization workshops, energy audits, business incentives for using energy more efficiently, heat pumps, LED light bulbs, low-flow shower heads, and other energy-saving measures proposed in the

Program will help address shortcomings that plague far too many tribal homes and businesses. However, as encouraging as these Program components are – including APS's proposal to increase the Program budget to \$500,000 – they are just the tip of the iceberg of what is needed to make things right. As such, APS's proposal should be considered just the starting point, and we strongly encourage the Commission to consider expanding the program in a number of ways.

Specifically, as part of this decision on the Tribal Energy Efficiency Program, we recommend that the Commission direct APS to:

- Implement a program budget of at least \$1 million annually no later than January 2022.
- Conduct a comprehensive review of additional energy-efficiency measures to be included in the Program and propose those measures for implementation no later than January 2022.
- Direct APS to expand the Program to implement co-offerings including solar, storage, distributed solar and storage, and beneficial electrification measures.
- Direct APS to expand program eligibility to impacted Tribal members who are not APS customers.
- Propose and implement program enhancements informed by the results of the household census being conducted by APS of Navajo homes lacking electricity, as proposed by the company as part of its testimony in Docket No. E-01345A-19-0236. 1
- Adopt provisions giving preference to hiring Navajo or Hopi contractors for any aspects of Program implementation that are met through third-party vendors.

In alignment with each of these recommendations, our organizations will submit proposed amendments for the Commission's consideration no later than Monday, June 7th.

Tribal communities have long suffered the insulting economic disparity of having massive coal plants taint their air, land and water while shipping power and profits to faraway beneficiaries. The Tribal

Energy Efficiency Program can and should be maximized to begin addressing such injustices. In doing so, the Commission can take an important, responsible step toward promoting energy affordability and equity.

Carol Davis

Diné CARE

Nicole Horseherder

Tó Nizhóní Ání

Cliff Johns

Black Mesa Trust

Percy Deal

Former Navajo Council Delegate

Ben Nuvamsa

Former Hopi Tribal Chairman

Date:	Analyst:	Investigation Submitted By:	Type:
6/4/2021	Nallely Pena	Telephone	Investigation

Noted and filed for the record in Docket Control. File Closed.

Date:	Analyst:	Submitted By:	Type:
6/4/2021	Nallely Pena	Email	Investigation

From: Nallely Pena

Sent: Friday, June 04, 2021 3:18 PM

To: eric@westerncleanenergy.org

Subject: Arizona Corporation Commission Utility - Opinion #170300 - Eric Frankowski

Dear Mr. Frankowski,

Your comments regarding Arizona Public Service Company ("APS") have been received and will be filed in the docket number you indicated.

Thank you,

Nallely Peña

Public Utilities Consumer Analyst

Arizona Corporation Commission

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